Office of the
Information &
Privacy Commissioner
for British Columbia

Protecting privacy. Promoting transparency.

Office of the Information and Privacy Commissioner Privacy Policy

At the Office of the Information and Privacy Commissioner ("OIPC"), we are committed to providing citizens with exceptional service. As providing this service involves the collection, use, and disclosure of some personal information, protecting personal information is one of our highest priorities.

We will inform citizens of why and how we collect, use and disclose their personal information, obtain their consent where required, and only handle their personal information in a manner that a reasonable person would consider appropriate in the circumstances.

This Privacy Policy outlines the principles and practices we will follow in protecting citizens' personal information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of personal information and allowing our citizens to request access to, and correction of, their personal information.

Scope of this Policy

The FIPPA Compliance Policy applies to the OIPC and any service providers collecting, using or disclosing personal information on behalf of the OIPC.

Definitions

Personal Information means information about an identifiable *individual.* Personal information does not include contact information (described below).

Contact information means information that would enable an individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. Contact information is not covered by this policy or PIPA.

Privacy Officer means the individual designated responsibility for ensuring that the OIPC complies with this policy and FIPPA.

Policy 1: Collecting Personal Information

1.1 Unless the purposes for collecting personal information are obvious and the applicant or complainant voluntarily provides his or her personal

information for those purposes, we will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection.

1.2 We will only collect applicant or complainant information that is necessary to fulfill the following purposes:

- To verify identity;
- To open a file and process a complaint or request for review;
- To open a file and process an access request to the OIPC under FIPPA.

Policy 2: Consent

2.1 We will obtain applicant or complainant consent to collect, use or disclose personal information (except where, as noted below, we are authorized to do so without consent).

2.2 Consent can be provided or it can be implied where the purpose for collecting, using, or disclosing the personal information would be considered obvious and the applicant or complainant voluntarily provides personal information for that purpose.

2.3 Subject to certain exceptions (e.g., the personal information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), applicants or complainants can withhold or withdraw their consent for the OIPC to use their personal information in certain ways. An applicant's or complainant's decision to withhold or withdraw their consent to certain uses of personal information may restrict our ability to provide a particular service or product. If so, we will explain the situation to assist the applicant or complainant in making the decision.

2.4 We may collect, use, or disclose personal information without the applicant's or complainant's knowledge or consent in the following limited circumstances:

- When the collection, use or disclosure of personal information is permitted or required by law;
- When we require legal advice from a lawyer; or
- To conduct a request for review or investigate a complaint.

Policy 3: Using and Disclosing Personal Information

3.1 We will only use or disclose applicant or complainant personal information where necessary to fulfill the purposes identified at the time of collection.

3.2 We will not use or disclose applicant or complainant personal information for any additional purpose unless we obtain consent to do so or it is authorized by law.

3.3 We will not sell applicant or complainant lists or personal information to other parties.

Policy 4: Retaining Personal Information

4.1 If we use applicant or complainant personal information to make a decision that directly affects the applicant or complainant, we will retain that personal information for at least one year so that the applicant or complainant has a reasonable opportunity to request access to it.

4.2 Subject to policy 4.1, we will retain applicant or complainant personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose.

Policy 5: Ensuring Accuracy of Personal Information

5.1 We will make reasonable efforts to ensure that applicant or complainant personal information is accurate and complete where it may be used to make a decision about the applicant or complainant or disclosed to another organization.

5.2 Applicants or complainants may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information must be made in writing and provide sufficient detail to identify the personal information and the correction being sought.

A request to correct personal information should be forwarded to the Privacy Officer.

5.3 If the personal information is demonstrated to be inaccurate or incomplete, we will correct the information as required and send the corrected information to any organization to which we disclosed the personal information in the previous year. If the correction is not made, we will note the applicant's correction request in the file.

Policy 6: Securing Personal Information

6.1 We are committed to ensuring the security of applicant or complainant personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.

6.2 The following security measures will be followed to ensure that applicant or complainant personal information is appropriately protected:

- Electronic files are protected by a secure firewall. User access is controlled by user ID and passwords.
- Paper files are stored in a locked cabinet in a locked room in a secure building that is alarmed and access to the floor is restricted to OIPC staff.

6.3 We will use appropriate security measures when destroying applicant's or complainant's personal information such as shredding documents, and deleting electronically stored information.

6.4 We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.

Policy 7: Providing Access to Personal Information

7.1 Citizens have a right to access their personal information, subject to limited exceptions, as stipulated in FIPPA.

7.2 A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought. A request to access personal information should be forwarded to the Privacy Officer.

7.3 Upon request, we will also tell citizens how we use their personal information and to whom it has been disclosed if applicable.

7.4 We will make the requested information available within 30 business days, or provide written notice of an extension where additional time is required to fulfill the request.

7.5 If a request is refused in full or in part, we will notify the citizens in writing, providing the reasons for refusal and the recourse available to the citizens.

Policy 8: Questions and Complaints: The Role of the Privacy Officer or designated individual

8.1 The Privacy Officer is responsible for ensuring the OIPC's compliance with this policy and FIPPA.

8.2 Applicants or complainants should direct any complaints, concerns or questions compliance in writing to the Privacy Officer.

The current privacy officer is Jay Fedorak, Deputy Registrar/Assistant Commissioner. He may be contacted at:

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Victoria BC V8W 9A4
(250) 387-5629 Fax (250) 387-1696